

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 20-69

Resolution to Appoint Board of Viewers for Abandonment of Certain Roads in West Meadows Subdivision

WHEREAS, pursuant to Sections 7-14-2101, 7-14-2102 and 7-14-2103 of the Montana Code Annotated, a board of county commissioners has the authority to manage county roads within the county. Pursuant to Section 7-14-2615 of the Montana Code Annotated, a board of county commissioners has the authority to abandon a county road after a public hearing.

WHEREAS, Blue Still Circle, White Pine Circle, West Bird Way, Zanes Circle and Vescue Way are dedicated unconstructed roads within Yellowstone County. West Meadows Subdivision, October 16, 2007, Doc, No. 3442199. The Yellowstone County Board of County Commissioners has the authority to manage the roads, including the authority to abandon the roads. On June 18, 2020, the Board received a petition to abandon Blue Still Circle, White Pine Circle, West Bird Way, Zanes Circle and a portion of Vescue Way. **Exhibit 1 – Petition.** Jerry Kruchensky, the owner of the lots that abut the roads, want the Board to abandon the roads to reconfigure the lots to aggregate the roads into the lots. Kruchensky wants to replat the land and reconfigure the lots and roads. The Board reviewed the petition. The petition appears legally sufficient to appoint a Board of Viewers to investigate the proposed abandonment.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners creates a Board of Viewers to investigate the proposed abandonment. The Board appoints Mike Black PE, a Senior Civil Engineer with the Yellowstone County Public Works Department to the Board of Viewers; John Ostlund, a Yellowstone County Commissioner; Donald W. Jones a Yellowstone County Commissioner; Jeff Martin, the Yellowstone County Clerk and Recorder / Yellowstone County Surveyor; and Scott Walker, a Transportation Planner with the City of Billings / Yellowstone County Planning Department, to the Board of Viewers. The Board of Viewers shall submit a report to the Board that makes a recommendation as to the proposed abandonment. After the Board of Viewers submits the report, the Board shall hold a public hearing on the proposed abandonment. At the hearing, the Board shall receive comments on the proposed abandonment and consider the Board of Viewers' Report and any comments on the proposed abandonment. After the hearing, the Board may or may not abandon the roads. If the Board believes that it is in the best interest of the public to abandon the roads, it shall pass a resolution of intent to abandon the roads with conditions. Once Kruchensky has satisfied the conditions, the Board shall pass a resolution that abandons the roads. If the Board believes it is not in the best interest of the public to abandon the roads, it shall pass a resolution not to abandon the roads.

Passed and Adopted on the 15th day of September 2020.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA

Denis Pitman, Chair

Donald W. Jones, Member

John Ostlund, Member

ATTEST:

Jeff Martin, Clerk and Recorder

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